

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

JOSEPH MORALES,

Plaintiff,

v.

Case No: 2:21-cv-71-JLB-MRM

AMERICAN RESIDENTIAL SERVICES,  
LLC,

Defendant.

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**ORDER**

The Magistrate Judge filed a Report and Recommendation (“R&R”) recommending that the parties’ Joint Motion for Approval of Settlement (Doc. 25) be denied without prejudice. (Doc. 26.) Rather than object, the parties filed a renewed motion which “addresses those issues [in the R&R] and seeks to cure them so that approval of the settlement for the Plaintiff’s FLSA claims will be granted by the Court.” (Doc. 27 at 2.) The parties also filed a revised settlement agreement comporting with the R&R’s findings and recommendations. (Doc. 27-1.)


A district judge may accept, reject, or modify the magistrate judge’s R&R. 28 U.S.C. § 636(b)(1)(C). The factual findings in the R&R need not be reviewed de novo in the absence of an objection, but legal conclusions are always reviewed de novo. Id.; Cooper-Houston v. Southern Ry. Co., 37 F.3d 603, 604 (11th Cir. 1994); Garvey v. Vaughn, 993 F.2d 776, 779 n.9 (11th Cir. 1993).

After an independent review of the record, and noting that the parties renewed their motion specifically to address the Magistrate Judge's recommendation, the Court agrees with and adopts the well-reasoned R&R.

Accordingly, it is **ORDERED**:

1. The Report and Recommendation (Doc. 26) is **ADOPTED** for all purposes.
2. The parties' Joint Motion for Approval of Settlement (Doc. 25) is **DENIED without prejudice**.
3. The parties' renewed joint motion (Doc. 27) remains under advisement.

**ORDERED** at Fort Myers, Florida, on July 16, 2021.

  
**JOHN L. BADALAMENTI**  
UNITED STATES DISTRICT JUDGE